

**Minutes
Flatonia City Council
Regular Meeting
June 8, 2010**

Present:

Mayor	Jeff M. Hairgrove
Councilpersons	Len Waska Jan Lahodny Kathy Collins Teri Wilks Mark Eversole
City Staff	Kenneth Knight – City Manager Melissa Brunner – City Secretary Jack Pavlas – Utility Director Mike Noak – Police Chief Angela Beck – City Attorney Gregory Robinson – Code Compliance Officer
Incoming Mayor and Council	Scott Mica – Mayor elect Bryan Milson – Councilmember elect Tyler Mica – Councilmember elect

Opening Agenda

Call to Order	Mayor Hairgrove called the meeting to order at 6:00 p.m.
Invocation and Pledge	Code Compliance Officer Robinson led the invocation and Mayor Hairgrove led the pledge.
Citizen’s Participation	Regina Lighteard spoke on the problem of roosters in her neighborhood and throughout the community. Mrs. Lighteard presented a petition to the Council of people who agreed that this is a problem.

Reports

Mayor’s Activity Report	Mayor Hairgrove presented a certificate of commendation to Kent Milson for his work with the City. Mayor Hairgrove also expressed his appreciation to Councilmembers Len Waska and Mark Eversole for their service.
Police Chief’s Report	Chief Noak presented Officer Errod Clayton with a commendation and a merit badge for his actions during a situation of reckless driving which then resulted in an accident with children involved.
City Manager’s Report	City Manager Knight reported that he would be completing personnel evaluations within the next 6 – 8 weeks. He also reported that it was time for his evaluation and he requested that it

be held in open session. Knight also reported that he has begun budget preparation for the next fiscal year. He is hoping to have a draft budget in July and reminded Council that there would be budget meetings in August.

Economic Development

Chair of the Economic Development Commission, Bob Duncan reported that there had been 8 applications for the Business Incentive Program as of this date to amount to \$3580.00. The first two projects are complete. Signs seem to be the most popular with one for building code and two for façade improvements.

Consent Agenda

Kathy Collins motioned to accept the Consent Agenda, including the minutes of the May 11, 2010 regular meeting, the May 25, 2010 special meeting and the May 2010 financial report. Len Waska seconded the motion. None opposed. Motion carried.

Deliberation Agenda

- 6-2010.1 Kathy Collins motioned to accept the canvass of votes from the May 8, 2010 Flatonia Municipal Election showing that there were 744 registered voters for this election, 291 voters voted in this election. Scott Mica received 156 votes, Mark Eversole received 133 votes, Len Waska received 51 votes, Brad Cosson received 109 votes, James Longmire received 74 votes, Tyler Mica received 123 votes and Bryan J. Milson received 160 votes. Teri Wilks seconded the motion. None opposed. Motion carried.
- 6-2010.2 City Secretary and Notary Public Melissa Brunner swore in Scott Mica as Mayor, Bryan Milson as Councilman and Tyler Mica as Councilman.
- 6-2010.3 Kathy Collins motioned to appoint Bryan Milson as the Mayor Pro Tem for the City of Flatonia for 2010 – 2011. Teri Wilks seconded the motion. None opposed. Motion carried.

Public Hearing – opened at 6:28 pm

- PH6-2010.1 Public Hearing on request initiated by the City of Flatonia to rezone the following property: PID 27740, FAIRES ADDN. BLK FRC 52 (located west of the RR Photo Pavilion between West US HWY 90 & West Old Spanish Trail). The property is currently zoned as General Commercial with Residential 2 (G-C-2). The consideration is for the property to be rezoned as Public Use (PUB).

There was no public comment on this item.

- PH6-2010.2 Public Hearing on request from Kathryn L. Geesaman for a conditional use permit to allow for a bed and breakfast on the property she owns located at 118 E 6th St (vacant lot across the street southwest of the Olle Hotel)

There was no public comment on this item.

Public Hearing - closed at 6:30 p.m.

Deliberation Agenda

- 6-2010.4 City Engineer Gene Kruppa presented information on the bids for the 2010 paving project. Bryan Milson motioned to award the Paving Project bid to H&C Construction in the amount of \$48,356.70. Kathy Collins seconded the motion. None opposed. Motion carried.
- 6-2010.5 Jan Lahodny motioned to reappoint Kathy Mladenka as the Flatonia Municipal Court Judge. Bryan Milson seconded the motion. None opposed. Motion carried.
- 6-2010.6 Kathy Collins motioned to adopt the resolution amending the TexPool representatives to include Mayor Scott Mica and Mayor Pro Tem Bryan Milson. Teri Wilks seconded the motion. None opposed. Motion carried.
- 6-2010.7 Teri Wilks motioned to approve the contract with Capital Area Council of Governments for administration of the State Energy Conservation Office grant. Bryan Milson seconded the motion. None opposed. Motion carried.
- 6-2010.8 Kathy Collins motioned to authorize Mayor Mica to sign an engagement letter with Goldman, Hunt and Notz, LLC for a period of three years to provide for annual city audits. Teri Wilks seconded the motion. None opposed. Motion carried.
- 6-2010.9 Kathy Collins motioned to adopt the ordinance changing the zoning on the City property discussed above to Public Use. Teri Wilks seconded the motion. None opposed. Motion carried.
- 6-2010.10 Teri Wilks motioned to allow a conditional use permit to Katherine Geesaman to operate a bed and breakfast on her property located at 118 E 6th Street. Bryan Milson seconded the motion. None opposed. Motion carried.
- 6-2010.11 Teri Wilks motioned to direct the Nuisance Property Committee to review the complaints and the issue of livestock in the Flatonia city limits and bring a recommendation back to Council. Kathy Collins seconded the motion. None opposed. Motion carried.
- 6-2010.12 Teri Wilks motioned to appoint Jan Lahodny as the Council Representative/Chairperson on the Nuisance Property Committee and to expand in to include Mayor Scott Mica. Kathy Collins seconded the motion. There was some discussion. None opposed. Motion carried.
- 6-2010.13 Kathy Collins motioned to appoint Bryan Milson to be the Council Representative to the Parks Committee. Teri Wilks seconded the motion. None opposed. Motion carried.
- 6-2010.14 Bryan Milson motioned to appoint Jan Lahodny as the Council Representative on the Flatonia Economic Development Commission. Kathy Collins seconded the motion. None opposed. Motion carried.
- 6-2010.15 Teri Wilks motioned to appoint Tyler Mica as the Council Representative to the Rest Haven Cemetery Association. Kathy Collins seconded the motion. None opposed. Motion carried.

- 6-2010.16 Kathy Collins motioned to adopt the resolution recalling Bill Horn as the City's representative to the Fayette County Appraisal District's Board of Directors. Bryan Milson seconded the motion. None opposed. Motion carried.
- 6-2010.17 Kathy Collins motioned to approve the Flatonia Chamber of Commerce requested changes in the lease on the Civic Center with amendments changing the terms of the lease from ten years to two years and adding that the fee collection from the Civic Center rentals shall remain with and be for the discretionary use of the Lessee. Teri Wilks seconded the motion. None opposed. Motion carried.
- 6-2010.18 No action was taken on the placement of signs to prohibit the use of handheld cell phones in the school zone.

Executive Session – opened at 6:52 p.m.

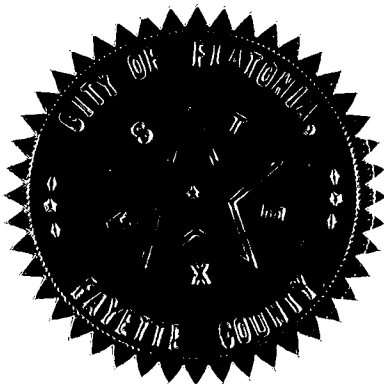
- ES6-2010.1 As authorized by Texas Government Code 551.071 – consultation with attorney
Consider possible lawsuit against Grumpy's Motor Inn
in reference to unpaid Hotel Occupancy Tax

Executive Session closed at 7:03

Deliberation Agenda

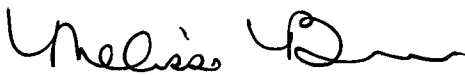
- 6-2010.19 Bryan Milson motioned that City Attorney Angela Beck pursue any and all legal remedies against Grumpy's Motor Inn, its owner, agents and employees, for failure to file hotel occupancy tax returns and failure to pay tax, penalty and interest for the third and fourth quarters of 2009 and the first quarter of 2010, and if timely and/or appropriate, the second quarter of 2010, to the City of Flatonia, Texas, including but not limited to the filing of suit in the appropriate court of competent jurisdiction. Kathy Collins seconded the motion. None opposed. Motion carried.

The meeting was adjourned at 7:05 p.m.



Signed

 Scott Mica
 Mayor

Attest

 Melissa Brunner, TRMC, CMC
 City Secretary

Approved this 13th day of July 2010